TRACK AND DRIVE MECHANISM FOR A VEHICLE Title:

REMARKS

This responds to the Office Action mailed on April 27, 2006. By this amendment, claims 11-15 and 17 were amended, and claim 10 was canceled. Claim 26 was added. As a result, claims 1-8, and 11-26 are now pending in this application.

Claim Objections

Rejection: Claim 10 was objected to because of the following informalities: It is believed that the term "n" should be removed from line 2 of the claim for grammatical clarity; given the fact that variable "n" in the equation [90-(360/2n)] has already been defined as the number of driving lugs immediately following the equation.

Appropriate correction is required.

Response: In this response, Claim 10 was cancelled thereby obviating this objection.

§103 Rejection of the Claims

- A. Rejection: Claims 10-15, 17-19, and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nagorcka.
- **B.** Response: In this response, Claim 10 was cancelled thereby obviating this rejection. Claims 11-15 and claim 17 have been amended to depend on allowed claim 16. The amendment to claim 17 now makes claims 18, 19 and 24 dependent on allowed claim 16. As a result, claims 11-15, 17-19 and 24 are now in allowable form since each depends, either directly or indirectly from allowed claim 16.
- C. Rejection: Claims 21-23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nagorcka as applied to claims 10-15, 17-19, and 24 above, and further in view of Witt.

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.116 – EXPEDITED PROCEDURE

Serial Number: 10/612,835

Filing Date: June 30, 2003

le: TRACK AND DRIVE MECHANISM FOR A VEHICLE

Page 8 Dkt: 736.003US1

D. Response: In this response, claim 17 have been amended to depend on allowed claim 16. The amendment to claim 17 now makes claims 21-23 dependent on allowed claim 16. As a result, claims 21-23 are now in allowable form since each depends, either directly or indirectly from allowed claim 16.

Allowable Subject Matter

Claims 1-8, 16 and 25 were allowed.

Claim 20 was objected to as being dependent upon a rejected base claim, but was indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant notes the allowance of claims 1-8, 16 and 25 with appreciation.

New claim 26 is claim 20 written to overcome the objection of the Examiner. Therefore, claim 26 is allowable. Claim 20 written to overcome the rejection was directed to a drive belt in the preamble. Applicant changed the preamble to a drive system that included a drive belt and a drive sprocket. Applicant also changed some of the articles from "a" to the to reflect that there was now antecedent basis for some of the elements.

Serial Number: 10/612,835 Filing Date: June 30, 2003

Title: TRACK AND DRIVE MECHANISM FOR A VEHICLE

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612) 373-6977 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

CARY SAFE ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

P.O. Box 2938

Minneapolis, MN 55402

(612)/373-697

Date 7/27/06

Richard E. Billion

Reg. No. 32,836

<u>CERTIFICATE UNDER 37 CFR 1.8:</u> The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop AF, Commissioner of Patents, P.O. <u>Box</u> 1450, Alexandria, VA 22313-1450, on this 27th day of <u>July</u>, 2006.

Tipia M

Name

Signature